

First, Ms. Alston identifies herself as A.E.S.’s parent, but she provides no other information regarding the identity of A.E.S. – most importantly, his/her name. Although Ms. Alston identifies two dependents by name on her financial affidavit, I note that both dependents share the same initials of “A.E.S.” As such, this Court and the Commissioner of Social Security are unable to glean from the present record which “A.E.S.” Ms. Alston seeks to proceed on behalf of. This information is necessary.

In addition, I may appoint a next friend to proceed in a civil action on behalf of a minor and/or incompetent person. Fed. R. Civ. P. 17(c)(2). While Ms. Alston indicates in her filings that she is the parent of A.E.S., she provides no basis for her request to proceed as next friend, that is, that A.E.S. is a minor and/or an incompetent person. Accordingly, I will order Ms. Alston to provide this information so that the record in this regard is complete. Because this information may contain personal identifiers relating to the identity of a minor, I will instruct Ms. Alston to file this information under seal. *See* Local Rule 2.17(B).

I also note that Ms. Alston contends in her *pro se* Complaint that she received notice of Appeals Council action on September 10, 2015. Although this information is significant in determining the timeliness of the Complaint, it would also be helpful to know the date on which the Administrative Law Judge entered the decision that denied A.E.S.'s claim for benefits. I will order Ms. Alston to provide this information as well.

Finally, I have reviewed Ms. Alston's financial affidavit and find her unable to pay the filing fee. *See* 28 U.S.C. § 1915. She will therefore be permitted to proceed in this case *in forma pauperis*.

Accordingly,

**IT IS HEREBY ORDERED** that Celestina Alston's Motion to Proceed *In Forma Pauperis* [ECF #3] is **GRANTED**.


**IT IS FURTHER ORDERED** that Celestina Alston's Motion for Appointment of Next Friend [ECF #2] is **GRANTED**.

To assist the Court in further processing of this case,

**IT IS FURTHER ORDERED** that, not later than, **October 30, 2015**,

Celestina Alston shall file a Memorandum with the Court identifying A.E.S. by his/her full name and setting forth the reason(s) why she seeks to proceed as next friend on A.E.S.'s behalf, that is, whether A.E.S. is a minor or an incompetent person. The Memorandum shall also include the date on which the Administrative Law Judge entered the decision that denied A.E.S.'s claim for benefits. This Memorandum shall be filed **UNDER SEAL** in accordance with Local Rule 2.17(B).

**IT IS FURTHER ORDERED** that process shall not issue on the Complaint until such additional information is received and filed with the Court.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 8<sup>th</sup> day of October, 2015.